

**In the United States Court of Federal Claims**

No. 09-108 T

(Filed April 10, 2013)

\* \* \* \* \*

AMERGEN ENERGY CO., LLC by \*  
and through EXELON GENERATION \*  
CO., LLC, tax matters partner, \*

*Plaintiff,* \*

v. \*

THE UNITED STATES, \*

*Defendant.* \*

\* \* \* \* \*

**ORDER**

On April 5, 2013, defendant filed an Unopposed Motion of the United States For Leave To Exceed Page Limits on the government's response brief in this matter. Therein, defendant requests leave of the court to file a response brief exceeding the thirty page limit, set in accordance with RCFC 5.4(b)(2), by sixty pages. On April 8, 2013, plaintiff filed a response to defendant's motion to exceed the page limit. Plaintiff's response states that plaintiff does not oppose the government's request to file a response brief of up to ninety pages, as long as plaintiff is accorded a commensurate page limit when filing its reply brief on the matter. Specifically, plaintiff requests that the court allow its reply brief to be at least half the amount of the pages that the government uses in its response brief or the twenty page maximum under the court's rules, whichever is greater. Resp. at ¶ 2.

Accordingly, for good cause shown, it is hereby **ORDERED** that:

(1) Defendant's Motion is **GRANTED**;

- (2) The government's **Response/Reply** shall be **FILED** on or before **April 26, 2013**, and shall not exceed ninety pages; and
- (3) Plaintiff's **Reply** brief shall be **FILED** on or before **May 31, 2013**, and shall not exceed forty-five pages.

s/Lynn J. Bush \_\_\_\_\_  
LYNN J. BUSH  
Judge